

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

MDL No. 2419
Dkt. No. 1:13-md-02419 (RWZ)

THIS DOCUMENT RELATES TO:

All Actions

**THE PLAINTIFFS' STEERING COMMITTEE'S PROPOSED AGENDA
FOR THE SEPTEMBER 21, 2017 STATUS CONFERENCE**

The Plaintiffs' Steering Committee ("PSC") proposes the following agenda for the September 21, 2017, status conference (before Judge Zobel at 2:00p.m.). The remaining defendants and the plaintiffs' groups identified below have been given an opportunity to comment on this proposed agenda.

A. ORAL ARGUMENT REQUESTED¹

1. Ocean State Defendants' Motion for Clarification of July 5, 2017 Order [Dkt. 3437]
 - a. Government's Response [Dkt. 3448]

B. REPORT TO THE COURT

2. Status of payments from Tort Trust
 - a. Status Report by Lynne Riley [forthcoming]
3. Status of Box Hill cases

8 cases: Patti Kasputys & Michael Coren (Plaintiffs); Catherine Steiner & Greg Kirby (Defendants)

¹ The Government respectfully requests that the Court hear the Ocean State Motion first.

- a. Notice by Consolidated Plaintiffs re Joint Motion to Modify Third Amended Order Setting Discovery Deadlines re Dreisch [Dkt. 3444]
 - b. Motions for Partial Summary Judgment, Memoranda of Law in Support of Motions, Statement of Undisputed Material Facts, and associated Exhibits [Dkts. 3454, 3455, 3456, 3457, 3458, 3459, 3460]
 - c. Plaintiffs' Motion to Strike the Reports and Exclude Testimony by Expert Witnesses for the Box Hill Defendants [Dkt. 3462]
4. Status of Specialty Surgery cases
- 13 trial-court cases; 2 appeals -- Benjamin A. Gastel (Plaintiffs); Matthew H. Cline (Defendants)*
- a. Update on Tentative Settlement
5. Status of St. Thomas settlement
- Benjamin A. Gastel (Plaintiffs); Matthew H. Cline & Yvonne Puig (Defendants)*
- a. Final Motion for Disbursement of St. Thomas Common Expenses by the PSC [*forthcoming*]
 - b. Update on Payments from Qualified Settlement Fund
6. Tosha Andrews Case (1:14cv-13509-RWZ)
- Patrick T. Fennell (Plaintiff)*
- a. Motion for Disbursement of Funds and Entry of Order of Publication [Dkt. 3425]
 - b. Response to Motion by Insight Health Corp. [Dkt. 3431]

- c. Order of Publication [Dkt. 3433] [and setting hearing]
- d. Notice by Tosha Andrews of Clerk's Certification that Order of Publication was Posted [Dkt. 3434]
- e. Notice of Hearing re Dkt. 3425 for Oct. 4, 2017 [Dkt. 3435]
- f. Motion to Appoint Guardian Ad Litem [Dkt. 3440]
- g. Notice of Filing Written Statement of Rodney Andrews [Dkt. 3442]
- h. Certificate of Service pursuant to LR 5.2 [Dkt. 3450]
- 7. Debra Buchanan Case (1:14-cv-13507-RWZ) – Resolved
Patrick T. Fennell (Plaintiffs)
- 8. Sydney Creasy/Tamela Miller Case (1:14-cv-13508)
Patrick T. Fennell (Plaintiffs)
 - a. Suggestion of Death [Dkt. 3446]
 - b. Motion to Substitute Party Plaintiff [Dkt. 3447]
- 10. PSC's Status Report re Directly Filed Cases (forthcoming)
- 11. Authorizing final common-benefit payments

B. FUTURE STATUS CONFERENCES

- 1. None scheduled

Dated: September 19, 2017

Respectfully submitted,

/s/ Kristen A. Johnson

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Kristen A. Johnson, BBO # 667261

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Plaintiffs' Steering Committee*

CERTIFICATE OF SERVICE

I, Kristen A. Johnson, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: September 19, 2017

/s/ Kristen A. Johnson

Kristen A. Johnson (BBO# 667261)